

SCREENING FORM FOR LOW-EFFECT HCP DETERMINATIONS

I. Project Information

A. Project name: Low-Effect Habitat Conservation Plan for Endangered Sandhills Species at the Clements Property, Santa Cruz County, California

B. Affected species: Federally endangered Mount Hermon June beetle (*Polyphylla barbata*), Zayante band-winged grasshopper (*Trimerotropis infantilis*), and Ben Lomond spineflower (*Chorizanthe pungens* var. *hartwegiana*)

C. Project size (in stream miles and acres): Construction of outdoor recreational improvements in a 0.56-acre (24,500 sq ft) project site, within the 3.6-acre parcel (APN: 072-441-01) would disturb a total of 0.214-acre (9,319 sq ft).

D. Brief project description including minimization and mitigation plans:

Purpose, Need, and Duration

Ron Clements (applicant) is seeking an incidental take permit, under Section 10(a)(1)(B) of the Federal Endangered Species Act of 1973, as amended (Act), for take of the federally endangered Mount Hermon June beetle and Zayante band-winged grasshopper. The HCP also addresses potential impacts to the federally endangered Ben Lomond spineflower. Impacts to the three subject species would result from construction of a swimming pool, outdoor kitchen, sport court, solar panels, patios and other hardscapes, retaining walls, landscaping beds, and a fence in the back and side yards of the applicant's primary residence.

A 3-year permit term is requested to address incidental take of the Mount Hermon June beetle and Zayante band-winged grasshopper, and impacts to the Ben Lomond spineflower, that are likely to result from implementation of the project. These activities were initiated in winter 2016, when the applicant conducted vegetation removal, excavation, grading, and paving, as well as installation of a solar panel rack. The project was discontinued when the applicant received a stop-work order from the County of Santa Cruz due to lack of proper authorization. The remaining activities including grading, paving, construction, landscaping, and erection of a fence are anticipated to be completed within a three-month period; however, a 3-year permit term is requested to address construction delays that may be encountered.

Covered Lands

The project site is located at 8225 Ridgeview Drive near the unincorporated town of Ben Lomond in Santa Cruz County, central coastal California. Project activities would occur within a 0.56-acre (24,500 sq ft) portion of the 3.6-acre parcel (APN: 072-441-01). Within this area, project construction is anticipated to impact approximately 0.214-acre (9,319 sq ft) of suitable habitat for the subject species.

Species Occupation and Baseline

Of the 0.56-acre (24,500 sq ft) project area, approximately 0.214-acre (9,319 sq ft) features Zayante soils which are likely to support the fossorial Mount Hermon June beetle and dispersing

Zayante band-winged grasshoppers. Additionally, this area provides habitat for the Ben Lomond spineflower and may support a seed bank of the species.

Implementation of the project would result in permanent impacts to 0.103-acre (4,492 sq ft) of habitat. The remaining 0.111-acre (4,827 sq ft) would be temporarily impacted as a result of vegetation removal and soil disturbance associated with the project.

Goals and Objectives

Goal 1: Avoid and minimize take of the Mount Hermon June beetle, Zayante band-winged grasshopper, and Ben Lomond spineflower within the project site.

Objective 1.1: During the summer prior to construction, a qualified biologist will collect the seed of all Ben Lomond spineflower from within the project impact area, for use in restoration of the project area, post construction.

Objective 1.2: Minimize impacts to dispersing Mount Hermon June beetle and Zayante band-winged grasshopper by conducting ground-disturbing activities outside of the flight season, if at all possible. If ground disturbance occurs between May 1 and August 30, cover exposed soil nightly to prevent dispersal of Mount Hermon June beetles into the project disturbance envelope.

Objective 1.3: Minimize removal of native Sandhills plant species.

Objective 1.4: Avoid landscaping with turf grass, weed matting, aggregate, and mulch.

Objective 1.5: Minimize night lighting during the flight season of the Mount Hermon June beetle.

Goal 2: Restore habitat within the 0.111-acre (4,827 sq ft) area of temporary disturbance, which includes a soil stockpile area and the landscape areas, to re-establish native plants including Ben Lomond spineflower, and restore habitat for the Mount Hermon June beetle and Zayante band-winged grasshopper.

Objective 2.1: Distribute native plant seed collected within the 0.014-acre (600 sq ft) stockpile area, to promote establishment of native plants including Ben Lomond spineflower.

Objective 2.2: Plant native sandhills plants within the landscape areas on the perimeter and between the project improvement areas to provide host plants for the Mount Hermon June beetle.

Goal 3: Protect habitat for the Mount Hermon June beetle, Zayante band-winged grasshopper, and Ben Lomond spineflower at an off-site location of high long-term conservation value to the species.

Objective 3.1: Purchase 0.531-acre (23,130 sq ft) of conservation credits for the subject species at the Zayante Sandhills Conservation Bank, or other Service-approved conservation bank.

Project Description, Avoidance and Minimization, Mitigation

The proposed project site is located at 8225 Ridgeview Drive near the unincorporated town of Ben Lomond in Santa Cruz County, California. Project activities associated with backyard recreational uses would occur within a 0.56-acre (24,500 sq ft) portion of the 3.6-acre parcel. Within this area, project construction is anticipated to impact approximately 0.214-acre (9,319 sq ft) of suitable habitat for the subject species.

The HCP's conservation strategy includes the following measures designed to avoid and minimize the proposed project's impacts on the Mount Hermon June beetle, Zayante band-winged grasshopper, and Ben Lomond spineflower.

1. Prior to construction, a qualified biologist will collect seed of all Ben Lomond spineflower from within the project impact area, for use in seeding following construction as described below.
2. The project would be constructed between November and April, if at all possible, to avoid the primary adult activity period for the Mount Hermon June beetle (May - August) and Zayante band-winged grasshopper (June - October). If soil-disturbing activities occur during the Mount Hermon June beetle flight season (May 1 - August 31), tarps will be used to cover exposed soil, to prevent dispersing male beetles from burrowing into the construction site.
3. Prior to initiation of ground disturbing activities, a qualified biologist will conduct a pre-construction training that will be attended by all on-site construction personnel. The training will include a fact sheet providing information on the subject species. Construction personnel will be directed to cease work and immediately contact a biologist permitted to capture and relocate the subject species if observed in an area to be impacted.
4. All new outdoor lights will feature LED bulbs that emit light in wavelengths that are less attractive to nocturnal insects including the Mount Hermon June beetle.
5. Following completion of the project, temporarily disturbed areas will be seeded with native sandhills plants to facilitate re-colonization of the project area by the subject species.

To compensate for unavoidable impacts to the subject species and their habitats, the applicant will purchase 0.531-acre (23,130 sq ft) of conservation credits at the Zayante Sandhills Conservation Bank, or from another Service-approved conservation bank.

The applicant will fund all elements of the plan's conservation strategy, including purchase of the conservation credits. A qualified biologist will conduct monitoring to ensure compliance with the conservation strategy, and to evaluate success toward the biological goals and objectives. Monitoring results will be provided to the Service in a project report provided by January 31 following each year that the permit is active.

II. Does the HCP fit the following low-effect criteria?

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP prior to implementation of the minimization and mitigation measures?

Yes, the effects of the project on the Mount Hermon June beetle, Zayante band-winged grasshopper, and Ben Lomond spineflower are both minor and negligible. This conclusion is based on the following:

1. The small size of disturbance caused by the project: The project would disturb only 0.214-acre of sandhills habitat, much of which is degraded by prior land use activities. Indirect effects would be limited by the minimization measures incorporated in the plan's conservation strategy.
2. The degraded condition of habitat within project area: The habitat that would be impacted by this project has been previously degraded by historical use of the property for residential purposes. Due to its location within a developed, residential parcel, project implementation is anticipated to have minor impacts on the biological function of the Zayante Sandhills. Therefore, the proposed project is not expected to affect species persistence or recovery.

B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.) prior to implementation of the minimization and mitigation measures?

Yes. Due to the small size of the proposed project and project implementation resulting in no changes to the current land use, we expect effects on other environmental values and resources would be minor or negligible. The project would occur in an existing developed parcel with a low likelihood of featuring cultural resources. The small residential improvements would occur in the backyard of a private parcel that is surrounded by other privately owned parcels, such that there would be no effects on recreation or visual resources. Effects to water quality and quantity are not anticipated. The retaining walls and drainage improvements installed as part of the project would stabilize soils and reduce erosion from the site into the adjacent lands. Effects of noise on the environment are expected to be temporary, minor and negligible. The proposed project would not cause socio-economic impacts.

C. Would the impacts of this HCP, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects not result, over time, in

cumulative effects to environmental values or resources which would be considered significant?

Yes, we do not expect significant cumulative effects on the Mount Hermon June beetle, Zayante band-winged grasshopper, Ben Lomond spineflower or other species or communities of the Zayante Sandhills in the foreseeable future. The County of Santa Cruz Sensitive Habitat Ordinance limits development on parcels located within the Sandhills. The proposed project would occur in an existing, developed area and would not induce further development. Therefore, the project would not result in significant cumulative effects to environmental values or resources.

III. Do any of the exceptions to categorical exclusions apply to this HCP? (form 516 DM 2.3, Appendix 2)

Would implementation of the HCP:

A. Have significant adverse effects on public health or safety?

No. The project would be permitted through the County of Santa Cruz and therefore would be constructed following the California Building Code. It would not involve the use of hazardous materials, substances, or waste.

B. Have adverse effects on such unique geographic characteristics as historic or cultural resources; park; recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); floodplains (EO 11988); national monuments; migratory birds, and other ecologically significant or critical areas?

No. The project area is within the backyard of an existing residential parcel and does not support unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory bird resources, or other ecologically significant or critical areas.

C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(E)]?

No. The project is consistent with County of Santa Cruz zoning laws, ordinances, regulations and policies, and is consistent with current existing land uses. No significant environmental effects or controversy are anticipated.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?

No. The proposed project includes backyard improvements including a swimming pool, sport court, outdoor kitchen, solar panels, walkways, and landscaping; it lacks uncertain effects or unknown risks.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No. As discussed, the proposed project is limited in size and scope and located in a developed area. This HCP does not establish a precedent for future actions or represent a decision in principle about future actions that would potentially cause significant environmental effects.

F. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?

No. The proposed project is a single action not related to any other. We are not aware of any future actions directly related to the HCP; therefore, significant cumulative effects are not anticipated.

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?

No. A search of the National Register of Historic Places (<http://nrhp.focus.nps.gov/>) revealed no sites listed or eligible for listing within the project area or elsewhere in central Santa Cruz County.

H. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species or have significant impacts on designated Critical Habitat for these species?

No. This project would result in soil disturbance to a 0.214-acre area that is assumed occupied by the covered species. Disturbance of this small area of habitat is anticipated to have a negligible effect on the long-term persistence of the covered species in the area and recovery of the species overall. Negligible effects to Zayante band-winged critical habitat are anticipated.

I. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?

No. The HCP and incidental take permit issuance would fulfill Federal environmental compliance. This project is subject to California Environmental Quality Act review pursuant to the County of Santa Cruz implementing guidelines and other Federal, State, and local environmental laws and requirements. Tribal lands would not be affected.

J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?

No. The proposed project would have no effect on low income or minority populations.

K. Limit access to ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007)?

No. Ceremonial or sacred sites do not occur on the proposed project site and would not be affected by implementation of the HCP.

L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112)?

No. Disturbed areas within the project site would be planted with native and non-invasive ornamental plants as a component of the HCP.

IV. ENVIRONMENTAL ACTION STATEMENT

Based on the analysis above, the HCP for the proposed Clements Property, Santa Cruz County, California qualifies for a categorical exclusion as defined in the U.S. Fish and Wildlife Service *Habitat Conservation Planning Handbook*. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1; 516 DM 6, Appendix 1; and 516 DM 8.5(C)(2).

Other supporting documents: Low-Effect Habitat Conservation Plan for Endangered Sandhills Species at the Clements Property, Santa Cruz County, California. September 2017.

Concurrence:

/s/: Stephen P. Henry
Stephen P. Henry
Field Supervisor

1/18/18
Date